

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Robert A. Donald		
	Debtor	CHAPTER 13
Edward Costigan		
	Co-Debtor	
Christine A. Costigan		
	Co-Debtor	
		NO. 22-13337 pmm
Lakeview Loan Servicing, LLC		
	Movant	
vs.		
Robert A. Donald		11 U.S.C. Section 362
	Debtor	
Edward Costigan		
	Co-Debtor	
Christine A. Costigan		
	Co-Debtor	
Kenneth E. West		
	Trustee	

**MOTION OF Lakeview Loan Servicing, LLC**  
**FOR RELIEF FROM THE AUTOMATIC STAY**  
**UNDER SECTION 362**

1. Movant is Lakeview Loan Servicing, LLC.
2. Debtor and Co-Debtors are the owner(s) of the premises 324 West Laughead Avenue a/k/a 324 Laughead Avenue, Linwood, PA 19061, hereinafter referred to as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$87,290.00 on the mortgaged premises that was executed by Debtor and Co-Debtors as Co-mortgagors on December 30, 2003. The mortgage has been assigned as follows: Assigned to Lakeview Loan Servicing, LLC on August 2, 2019, recorded August 29, 2019 in Delaware County, Book 06380 Page1048.
4. Kenneth E. West, is the Trustee appointed by the Court.
5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor(s).
6. Debtor(s) has/have failed to make the monthly post-petition mortgage payments in the amount of \$818.89 for the months of January 2023 through March 2023 plus late charges if applicable.

7. Co-Debtors Edward Costigan and Christine A. Costigan, who have not filed for Bankruptcy in this case, is liable on the mortgage loan secured by the aforesaid mortgage together with the Debtor.

8. In addition to the other amounts due to Movant reflected in this Motion, as of the date hereof, in connection with seeking the relief requested in this Motion, Movant has also incurred legal fees and legal costs. Movant reserves all rights to seek an award or allowance of such fees and expenses in accordance with applicable loan documents and related agreements, the Bankruptcy Code and otherwise applicable law.

9. The total amount necessary to reinstate the loan post-petition is \$2,456.67.

10. Movant is entitled to relief from stay for cause.

11. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/ Brian Nicholas

Brian Nicholas, Esquire

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Attorneys for Movant/Applicant